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**Sent:** 10/24/2014 7:56:37 PM  
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**Subject:** Summary of the October 22, 2014 HAMP Planning Call  
**Attachments:** 10-24-14 PER Schedule.pdf; smime.p7s

All,

Here is a brief summary of our 10/22/14 HAMP planning call. Participants included Lionel, Eric, Robert, Adam, Brad and John.

1. A/E Delivery Orders. IHS received a final pay request for the well inspection delivery order, and consulting work on this order is now fully completed. The delivery order will expire shortly. The delivery order for Marron work on the EA has been extended until September 2015, since there may be an EA amendment if BIA and the Tribe agree to proceed with PH14-E90, the planning project to consider extension of the HAMP to serve BIA/BIE water systems. It's understood, IHS will not begin work on this project until we receive contributions of \$21K from the Hopi Tribe and \$150K from BIA/BIE.
2. The delivery order for Kerry Brough's work on the Strategic Plan and the Life Cycle Cost Analysis is active and an extension request (to September 2015) has been submitted but not processed. ES Dallas (IHS contracting office) is aware of the issue and is seeking to process a time extension. Approximately \$28K remains unexpended for completion of a PER and strategic plan that would incorporate BIA/BIA facilities.
3. Phoenix Area IHS expects new A/E indefinite quantity contracts will be awarded shortly for engineering and related consulting work over the next five years.
4. John completed drafting the three BIA/BIE project documents and forwarded them for signature to Indian Affairs, OFPSM, formerly OFMC and to Bill Bettenberg on September 24, 2014. There has been no feedback. John will forward copies of the final documents to all parties to this call and to Curt Huskins.
5. We received five comments on the EA before the expiration of the comment period on October 13, 2014 including comments from BIA and FEMA as well as three residents of Hopi. IHS has mailed responses to all five comments.
6. The FONSI is not yet ready to be signed at this time because IHS needs village approval of pipeline alignments and statements the project "would have no adverse effects on TCPs in the vicinity of the villages". We plan to include a statement to this effect in the Tribe/Village MOA, which is being drafted by Bill Bettenberg. John will provide a suggested statement to include to Lionel, with copies to other call participants. This has now been completed. The statement will probably need review by the Tribal Attorney and by Bill Bettenberg, before Council approval and village review and approval.
7. EPA has funded DTWSA project PH15-U62 in the amount of \$985K, and it's understood this funding is intended for construction of the HAMP, and not for planning activities. EPA has made it clear that construction will need to start ASAP, and that future EPA funding may not be forthcoming until construction is initiated. We decided to focus on assisting the Tribe in getting to the USDA application stage at the present time. If the USDA application is not approved within one year, we can try to start some EPA funded construction by next fall. We would seek guidance from EPA on this issue, before proceeding.

8. The deadline for FY15 DWTSA proposals has been extended to Monday, November 17, 2014. Adam forwarded a draft proposal to Lionel for review and tribal submittal to EPA.
9. There is a balance of about \$2.5 million of HAMP funding, so there are sufficient funds for any needed planning activities. At the present time, there is no plan to award consulting contracts or conduct other planning or engineering activities that would involve substantial expenditures. Design of the project is not scheduled to begin until the tribe secures or has confirmation of USDA funding.
10. There is a planned abbreviated project schedule in the PER, Table 8.7 which is attached. Adam will update the detailed Gantt schedule and forward shortly.
11. Lionel said there hasn't been much movement on Tribal Council action items, which had been discussed during our meeting with the Council last Spring. There is more emphasis at the present time on moving forward with the LCR. We discussed another planning meeting with the Council, similar to the Spring meeting, and Lionel will get us on the agenda, hopefully in early December, after any newly elected Council members are seated. Here are the Tribal action items from the Spring meeting:  
Hopi Tribe
  - Council approval of Village/Tribal and Village/HPUA Agreements
  - Tribe and Villages reach agreement on Village/Tribal and Village/HPUA Agreements
  - Complete all past due annual financial audits
  - Tribe get quotes from APS for power line extension to HAMP
  - Tribe to decide if the Tawa'ovi development is to be included in the HAMP and provide contributing funds on a pro-rata cost share basis, to offset the additional costs to the HAMP for the expected Tawa'ovi water demands and electrical loads.
  - Hire the HPUA Director as soon as possible
  - Approve \$2 million support from the Hopi Tribe
  - Decide if Tawa 'ovi and Hopi Housing Authority will contribute financially to the HAMP, before the PER is finalized
  - Determine if the HPUA can be the lead or only applicant for USDA funding (or will the Tribe cosign)
  - Apply for the USDA loan and grant funding at the earliest opportunity
12. Lionel will contact Bill about the USDA application and related work, such as the Tribal/Village MOA. Since our call, Lionel talked to Bill and forwarded comments to us.
13. While Hopi and the villages have not been the recent target of EPA enforcement, primarily due to the Compliance Plans and progress on the HAMP, there is concern and uncertainty about how enforcement may proceed after the January 2015 deadline for arsenic compliance. We believe that enforcement may take the form of an Administrative Order on Consent, AOC, but would villages and/or the Tribe be targeted? Lionel talked to the EPA Regional General Council last week and provide information on the Hopi Constitution. IHS staff will not be involved with enforcement actions, but will continue to provide technical support as needed for the HAMP. It seems likely the IHS role will be very limited over the next 6-9 months, until the Tribe resolves internal issues and secures USDA construction funding.
14. One of the public comments on the EA highlighted the issue of separation of the Mishongovi and Sipaulovi water systems, with respect to billing and user charges. At the present time, there is no plan or even a straight-forward way to separate the systems, since houses are intermixed to some extent. Lionel felt the Council may need to intervene to help resolve this issue?
15. We'll continue to have planning calls "as-needed" rather than on a set schedule. We'll certainly want to have another call before we meet with the Council.

